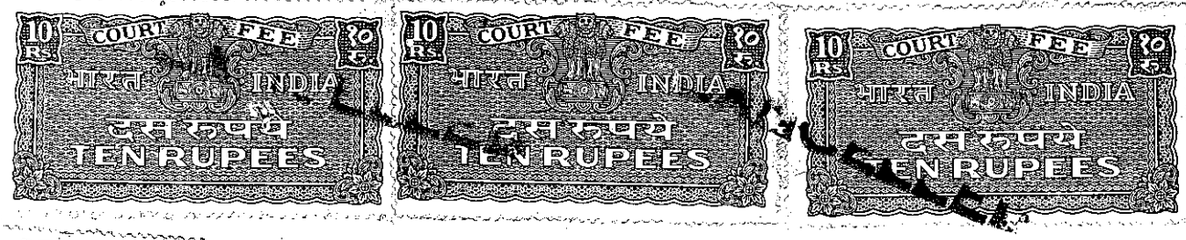


IN THE HIGH COURT OF JUDICATURE AT JABALPUR (M.P.)

W.P.NO. 5976 OF 2000

(3)

(PETITION UNDER ARTICLES-226 & 227 OF CONSTITUTION)

PETITION UNDER ARTICLES-226 & 227 OF THE CONSTITUTION OF INDIA FOR WRITS IN THE NATURE OF CERTIORARI MANDAMUS PROHIBITION ETC AND FOR APPROPRIATE FURTHER DIRECTIONS.

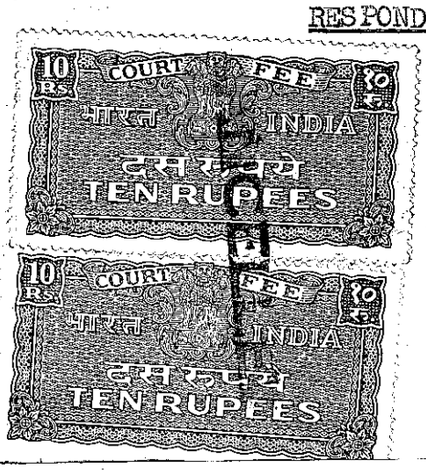
PETITIONER : Ajay Chauhan, aged about 34 years, S/o.Late Vipat @ Deepeshwar Chauhan, r/o. Shastri Nagar, Camp No.1, Bhilai, DISTRICT:DURG (M.P.).

- versus -

RESPONDENTS :

1. State of Madhya Pradesh, Through: Secretary, City Administration & Dev. Department, Vallabh Bhawan, BHOPAL (M.P.).

2. Commissioner, Municipal Corporation, Bhilai, DISTRICT:DURG (M.P.).



DETAILS OF PETITION

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P.No. 5976/2000

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश क्र. दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
19.3.2001	**Petitioner by Shri Manindra Shrivastava, Advocate.** **State by Dr. N.K.Shukla, Dy. A.G.** **Respondent no.2 by Shri Satyaban Agarwal, Advocate.** **The main grievance of the writ petitioner is that during the currency of the permanent lease granted in favour of the writ petitioner, the same came to be cancelled at the instance of respondent no.2 without issuing any notice to the writ petitioner and infact without affording to the petitioner any opportunity ~~to be~~ being heard and in violation of the principles of natural justice.** **After hearing counsel representing the parties and on perusal of the impugned order it appears that no opportunity was afforded to the writ petitioner before the impugned order of cancellation was issued on 25th September,2000 (Annexure A/14). If that be so the impugned order cannot be sustained in asmuch as the same was passed in violation of the principles of natural justice.** **In the result the aforesaid impugned order is set-aside and the matter is remanded to the State Government to re-examine the matter in accordance with law.** Disposed of. **Thakur.** **Certified copy, today.** **Sd/-** **Chief Justice**	